

MAINE STATE HARNESS RACING COMMISSION
MINUTES OF MEETING
NOVEMBER 23, 2020
HELD ONLINE VIA ZOOM APPLICATION

Commission Members Present: Michael Timmons, Chair, William McFarland, Edward Kelleher, James Kelley, Jr., and Richard Shiers

Commission Members Absent: None.

Staff Members Present: AAG, Ron Guay, AAG, Henry Jennings, Carol Gauthier, Joy Bonenfant, Miles Greenleaf, Jaime Wood, and Dr. Zachary Matzkin

1. **Call the Meeting to Order and Introductions:** Michael Timmons, Chair
2. **Review and Approval of Minutes**
None.
3. **Public Hearing to Receive Comments on Proposed Amendments to CMR 01-017, Chapter 5.** The Maine State Harness Racing Commission will entertain comments relative to proposed amendments to Chapter 5 of its rules. Written comments will be accepted until the close of business on December 3, 2020.
Henry Jennings stated they are taking comments on the proposed rule amendments for Chapter 5. He gave a brief overview of the proposed rule. He stated Section 3, subsection 4 this rule proposal came from the rules committee. Section 4, equipment requirement what is required under this section regarding the ambulance; under "I" regarding the tote board this section is new; Section 5, to adjust the purse distribution; subsection 5 is new and intended to give the Commission flexibility; Section 6 to update this section regarding bathroom facilities; and Section 7 he deleted because Public Law Chapter 626 changed this requirement. Commissioner Timmons asked if anyone from the public had any comments. Diann Perkins stated on Section 3 subsection 3 "F" had to do with individual times. Section 4 under audio recorder put good "working" order. Section 5 purse money. Not sure why they took that out where the Commission may waive the requirement. Section 6 facilities. Subsection 1 judges stand. Don't need that last sentence. Ronald Merrill, Paddock Judge Bangor stated under Section 6.2 it would be a hardship on the fairs if they had to have flushing toilets. Barry Norris stated he would address that in his comments. Diann Perkins stated when they were talking about public viewing area under the paddock, she feels there's some misinterpretation of what that means. Most of the fair tracks also have a viewing. She thinks this means the paddock judge or the state steward can look out a window and see who's coming or going. She also wanted to know under Section 6, subsection 2 can you explain the word "things" and there should be a separate paragraph, and they need to know what you can bring in the paddock. William Kasabuski, Owner/Trainer stated with contraband coming into the paddock area it's kind of hard to shake down every single person coming into the paddock and carrying in that isn't legal. The people in the paddock area such as the judges, state stewards, the vets, techs, and the numbers people could all band together and keep their eyes open. Something has got to be done with things that don't belong in the paddock area. Number 2, the portable potty they will take them anytime. Septic systems are \$30,000. Mr. Jennings reminded everybody that written comments would be accepted until the close of business on December 3, 2020. Commissioner Timmons closed the hearing.

4. **Update on 2021 Live Racing Plans and Hearings.** The Executive Director will provide an update on current discussions relative to 2021 race dates and locations, as well as when the race date hearing will be conducted.
Mr. Jennings stated it is unlikely that there will be racing at Scarborough Downs in 2021. First Track Investments is still working on an application and the background investigation is the holdup right now. They are still working with Cumberland Farmers Club to use their racetrack for 2021. If something does happen and they are not able to race Bangor may take more dates.
5. **Discussion of Future Rulemaking Priorities.** The Commission will discuss future rulemaking priorities.
Mr. Jennings stated Chapter 13 is long overdue for amendments and it's his priority number one. Michael Sweeney stated Chapter 13 is crucial for the Commission. He stated that Cal-Expos protocol to our pari-mutuel rules they will not accept that as they're currently written.
6. **Other Business**
Mr. Jennings stated that he would like to keep the Commissioners up to date. Miles Greenleaf stated that there is one positive test this year. They have three judges appeals and possibly one more. Mr. Jennings stated he heard the Commissioners speak about Lasix and payments. Mr. Greenleaf stated there has been a lot being paid and he will be collecting on Saturday. They are also investigating a horse that passed away.
7. **Public Comment**
None.
8. **Schedule of Future Meetings:**
Pending final submission of 2021 track license applications and race date requests.
9. **Adjourn**
11:18 a.m.